

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

SUCCESSFACTORS, INC.,

Plaintiffs,

v.

SOFTSCAPE, INC., and DOES 1-10,
inclusive,

Defendants.

MISC. NO. 08-mc-00155-FAB-JA
related to
CIVIL NO. CV 08-1376 CW (BZx)
(N.D. Cal.)

**PLAINTIFF SUCCESSFACTORS, INC.'S MOTION FOR CONTINUANCE OF
HEARING TO A LATER TIME DUE TO CALENDAR CONFLICT**

TO THE HONORABLE COURT:

Plaintiff SuccessFactors, Inc. ("SuccessFactors") through undersigned local counsel respectfully moves for an order to continue the time of the hearing set for Thursday, September 4, 2008 at 2:30 p.m. to a later time on the same day, i.e., 4:30 or 5:00 p.m. at the Chief Magistrate's best convenience, due to a calendar conflict with a bench trial we start on the same day, but at 9:00 a.m., before Honorable Chief Judge Jose A. Fuste, in the matter of *Cardona-Alonzo v. American Airlines*, Case 08-cv-01009-JAF.

We have discussed over the telephone this continuance request with local counsel for the third-party subject of this miscellaneous proceeding, New Millennium Shoe Company, brother counsel Luis F. Juarbe-Jimenez, and Mr. Juabe authorized us to represent to the Court that neither he, nor his co-counsel Mr. Luis F. del Valle, have any objections to the short continuance sought by the undersigned and that they will be able to appear at any of the times suggested in this motion.

WHEREFORE, local counsel for SuccessFactors respectfully prays for an order resetting the hearing for a more convenient time to all parties, counsel and the Court, such hearing to start at either 4:30 or 5:00 p.m., on Thursday, September 4, 2008, as most convenient for the Court, and to notify all counsel of record through the CM/ECF system of the new time for the hearing on the motion to compel.

Respectfully submitted.

San Juan, Puerto Rico, this 2nd day of September 2008.

I CERTIFY that on this same date, I presented the foregoing to the Clerk of the Court for filing and uploading to the CM/ECF system which will send an automatic electronic notification of such filing to all counsel of record.

FOR SUCCESSFACTORS, INC.

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/s/ Diego A. Ramos
Diego A. Ramos (127513)

I FURTHER CERTIFY that copy of the foregoing was served today by e-mail and regular mail upon counsel for third-party New Millenium Shoe Company, Ronald M. Davids, at Davids & Cohen, P.C., 40 Washington Street, Suite 20, Wellesley, Massachusetts 02481, counsel for Defendants Softscape Inc., Robert Taylor, Jeffrey M. Ratnoff and Bryan J. Sinclair, Mintz, Levin,

Cohn, Ferris, Glovsky and Popeo, PC, 1400 Page Mill Road, Palo Alto, California 94304-1124, and lead outside counsel for Plaintiff SuccessFactors, Inc., Laurence F. Pulgram, Fenwick & West, L.L.P., 555 California Street, 12th Floor, San Francisco, California 94104.

San Juan, Puerto Rico, this 2nd day of September 2008.

/s/ *Diego A. Ramos*
Diego A. Ramos (127513)